

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI**

**IN RE: Campbell Family Enterprises, Inc, Debtor**

**Case No. 25-10364-SDM  
CHAPTER 11**

**DEBTOR'S MOTION TO DISMISS CHAPTER 11 CASE**

COMES NOW, Campbell Family Enterprises, Inc. ("Debtor"), by and through counsel, and moves this Court to Dismiss this chapter 11 case, and in support thereof, would respectfully show the Court as follows:

1. Pursuant to 11 U.S.C. § 1112(b)(1), the Debtor seeks dismissal of its Chapter 11 case on the grounds that (a) there is cause for dismissal because the Debtor has ceased operations, is incurring continuing losses, and lacks the ability to comply with its confirmed plan; and (b) dismissal is in the best interests of creditors and the estate.
2. This Court has jurisdiction over this Motion under 28 U.S.C. §§ 157 and 1334. This is a core proceeding under 28 U.S.C. § 157(b)(2). Venue is proper in this District under 28 U.S.C. §§ 1408 and 1409.
3. On June 27, 2025, the Court entered an order confirming the Debtor's Second Amended Plan of Reorganization (the "Plan"). The Plan anticipated that the Debtor would continue its trucking operations, generate revenue, and make required post-confirmation plan payments to secured and unsecured creditors.
4. Since confirmation, the Debtor has suffered a series of crippling events:
  - a. Multiple mechanical breakdowns of its trucks have rendered its fleet inoperable;
  - b. A driver resigned and temporarily refused to return the truck, effectively "holding it hostage";
  - c. Other drivers refused to work around the recent holiday, further halting operations;

d. The Debtor was unable to maintain required insurance on its vehicles, and has therefore parked all trucks.

As a result, the Debtor has no ongoing revenue, cannot meet its insurance obligations, and is unable to make distributions under the Plan.

5. Section 1112(b)(1) of the Bankruptcy Code provides that, on request of a party in interest and after notice and a hearing, the Court shall dismiss a Chapter 11 case “for cause.” 11 U.S.C. § 1112(b)(1). Cause exists here because:

a. The Debtor has experienced a substantial or continuing loss to the estate and there is no reasonable likelihood of rehabilitation. § 1112(b)(4)(A).

b. The Debtor has been unable to effectuate substantial consummation of its Plan. § 1112(b)(4)(J).

c. The Debtor is unable to comply with its obligations under the confirmed Plan. § 1112(b)(4)(M).

Once the Debtor ceased generating revenue—due to mechanical failures, driver issues, and lack of insurance—its Plan became infeasible. The Debtor cannot pay post-confirmation administrative expenses, fund insurance premiums, or make Plan payments.

6. Conversion to Chapter 7 is not an option: there is no unencumbered property available to fund a liquidation, and the administrative burden of a Chapter 7 trustee would unnecessarily deplete estate assets. Dismissal, rather than conversion, allows secured creditors to pursue their state-law remedies against the Debtor’s collateral without the costs and delay of a sale under Section 363. Dismissal preserves creditor rights and avoids further administrative diminution of the estate.

WHEREFORE, the Debtor respectfully requests that the Court enter an order, substantially in the form attached hereto:

- A. Granting this Motion;
- B. Dismissing the Debtor's Chapter 11 case; and
- C. Granting such other and further relief as the Court deems just and proper.

Respectfully Submitted,

Campbell Family Enterprises, Inc.

/s/ Thomas C. Rollins, Jr.  
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**CERTIFICATE OF SERVICE**

I, Thomas C. Rollins, Jr., attorney for Campbell Family Enterprises, Inc., do hereby certify that I have this date electronically transmitted via CM/ECF Noticing, a true and correct copy of the above and foregoing MOTION to the following on the day and year hereinafter set forth:

Craig M. Geno

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Craig M. Geno on behalf of Trustee Craig M. Geno

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**SO CERTIFIED**, this the 8<sup>th</sup> day July, 2025.

/s/ Thomas C. Rollins, Jr.

Thomas C. Rollins, Jr.